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REMARKS

Claims 1, 2, 4-6, 29, 31-34 and 37-54 were pending in the application prior to this response. Claims 1, 29, 34, 38, 42, 47 and 49 have been amended herein. Claims 37, 40, 41, 45, 46 and 51 have been canceled. Claims 2, 4-6, 31-33, 39, 43, 44, 48, 50 and 52- 54 remain in the application unchanged. Accordingly, after entry of this amendment, claims 1, 2, 4-6, 29, 31-34, 38, 39, 42-44, 47-50 and 52-54 will be pending. Reexamination and reconsideration are requested.

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I. Allowable Subject Matter

In paragraph 7 of the Office action, the Examiner objects to claims 46 and 47 as being dependent on rejected base claim 29 but indicates that these claims would be allowable if rewritten in independent form.

Independent claim 29 has been amended herein as follows:

29. A system comprising:
a frame;
a lid movably attached to said frame, said lid being movable between a closed position and an open position;
a display mounted to said lid;
a photosensor array movably mounted within said frame; and
an object to be scanned by said photosensor array;
wherein at least a portion of said lid is directly adjacent at least a portion of said object when said lid is in said closed position;
wherein a menu of options is displayed on said display; and
wherein one of said options is for uploading an image to the internet.

The language in bold above is from objected-to dependent claim 46. The remainder of the language added to claim 29 is from intervening dependent claim 45. Accordingly, claim 29 is believed to be in condition for allowance.

Claims 45 and 46 have been canceled. Claim 47 has been amended to depend from independent claim 29, rather than from canceled claim 45.

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II. Rejection of Claims 1, 2, 4, 6, 29, 31, 32, 34, 37, 39, 40, 43-45, 48-50 and 53

Claims 1, 2, 4, 6, 29, 31, 32, 34, 37, 39, 40, 43-45, 48-50 and 53 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Reeley (U.S. 6,567,190) in view of Tsai (U.S. 5,883,727). Reconsideration of the Examiner's rejection is requested.

Claims 1, 2, 4, 6, 39, 40 and 43

Claim 1, as amended herein, recites the following:

1. A device comprising:
 - a frame;
 - a lid movably attached to said frame, said lid being movable between a closed position and an open position;
 - a display mounted to said lid;
 - a photosensor array movably mounted within said frame; and
 - wherein said display is visible when said lid is in said closed position;
- wherein, a menu of options is displayed on said display; and**
wherein one of said options is for uploading an image to the internet.

Independent claim 1 has been amended herein to include the language of dependent claim 41 (as indicated in bold above) and intervening dependent claim 40. Claims 40 and 41 have been canceled. Claim 42 has been amended to depend from independent claim 1, rather than from canceled claim 40. Since dependent claim 41 does not stand rejected over Reeley in view of Tsai, this amendment is believed to overcome the instant

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rejection.

Claims 2, 4, 6, 39 and 43 are allowable at least as depending from allowable base claim 1. Claim 40 has been canceled.

Claims 29, 31, 32, 44, 45 and 48

As discussed above in Section I of this response, independent claim 29 has been amended to include the subject matter of dependent claim 46 which the Examiner has indicated contains allowable subject matter. Accordingly, independent claim 29 is believed to be in condition for allowance.

Claims 31, 32, 44 and 48 are allowable at least as depending from allowable base claim 1. Claim 45 has been canceled.

Claims 34, 37, 50 and 53

Claim 34, as amended herein, recites the following:

A method comprising:

providing a device comprising a frame, a photosensor array movably mounted within said frame, a lid movably attached to said frame and a display mounted to said lid, wherein said lid is movable between a closed position and an open position;

moving said lid to said closed position such that at least a portion of said lid is positioned directly adjacent at least a portion of an object;
and

scanning said object with said photosensor array while said lid is

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in said closed position and said at least a portion of said lid is positioned directly adjacent said at least a portion of said object by moving said photosensor array within said frame;

wherein said scanning causes an image of said object to be generated;

displaying at least a portion of said image of said object on said display; and

uploading said image to the internet.

Independent claim 34 has been amended herein to include the language of dependent claim 51 (as indicated in bold above) and intervening dependent claim 37. Claims 37 and 51 have been canceled. Claims 38 and 49 have been amended to depend from independent claim 34 rather than from canceled claim 37. Since dependent claim 51 does not stand rejected over Reeley in view of Tsai, this amendment is believed to overcome the instant rejection.

Claims 50 and 53 are allowable at least as depending from allowable base claim 34. Claim 37 has been canceled.

III. Rejection of Claims 5 and 33

Claims 5 and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Reeley (U.S. 6,567,190) in view of Tsai (U.S. 5,883,727) and further in view of Puyot (U.S. 6,278,101). Reconsideration of the Examiner's rejection is requested.

Claims 5 and 33 are allowable at least as depending from allowable base claims 1 and 29, respectively.

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IV. Rejection of Claim 38

Claim 38 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Reece (U.S. 6,567,190) in view of Tsai (U.S. 5,883,727) and further in view of Suzuki et al. (U.S. 6,084,990). Reconsideration of the Examiner's rejection is requested.

Claim 38 is allowable at least as depending from allowable base claim 34.

V. Rejection of Claims 41, 42, 51 and 52

Claims 41, 42, 51 and 52 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Reece (U.S. 6,567,190) in view of Tsai (U.S. 5,883,727) and further in view of Morris (U.S. 6,453,361). Reconsideration of the Examiner's rejection is requested.

Applicant respectfully asserts that the Examiner's rejection is improper because there is no motivation to combine the Reece, Tsai and Morris references as proposed by the Examiner. "It is insufficient to establish obviousness that the separate elements of the invention existed in the prior art, absent some teaching or suggestion, in the prior art, to combine the elements." *Arkie Lures, Inc. v. Gene Larew Tackle, Inc.*, 119 F.3d 953, 957, 43 USPQ2d 1294, 1297 (Fed. Cir. 1997).

Further, as discussed above, the subject matter of claim 41 (along with intervening claim 40) has been added to claim 1 (claims 40 and 41 have been canceled). Thus, claim 1, as amended herein, recites the following:

A device comprising:
a frame;

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a lid movably attached to said frame, said lid being movable between a closed position and an open position;
a display mounted to said lid;
a photosensor array movably mounted within said frame; and
wherein said display is visible when said lid is in said closed position;
wherein, a menu of options is displayed on said display; and
wherein one of said options is for uploading an image to the internet.

It is pointed out that the Examiner has already indicated that the subject matter of claim 41 (highlighted in bold above) is allowable. Specifically, in paragraph 7 of the Office action, claim 46 is objected to as being dependent on a rejected base claim the Examiner indicates that this claim would be allowable if rewritten in independent form. Claim 46, prior to the amendment presented herein, recited the following:

46. The system of claim 45 wherein one of said options is for uploading an image to the internet.

Accordingly, the claim 41 subject matter added to claim 1 has already been indicated by the Examiner as being allowable. Thus, claim 1 is believed to be in condition for allowance.

Claim 42 is allowable at least as depending from allowable base claim 1.

As also discussed above, the subject matter of claim 51 (along with intervening claim 37) has been added to independent claim 34 (claims 37 and 51 have been canceled). Thus, claim 34, as amended herein, recites the

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following:

34. A method comprising:
providing a device comprising a frame, a photosensor array movably mounted within said frame, a lid movably attached to said frame and a display mounted to said lid, wherein said lid is movable between a closed position and an open position;
moving said lid to said closed position such that at least a portion of said lid is positioned directly adjacent at least a portion of an object;
and
scanning said object with said photosensor array while said lid is in said closed position and said at least a portion of said lid is positioned directly adjacent said at least a portion of said object by moving said photosensor array within said frame;
wherein said scanning causes an image of said object to be generated;
displaying at least a portion of said image of said object on said display; and
uploading said image to the internet.

Accordingly, claim 34 is believed to be allowable for at least the reasons advanced above with respect to claim 1.

Claim 52 is allowable at least as depending from allowable base claim 34.

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VI. Other Amendments not Discussed Elsewhere

Claim 49 has been amended herein to correct a minor typographical error.

For the reasons advanced above, applicant respectfully asserts that all of the claims are in condition for allowance.

Respectfully submitted,
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